

The Honorable Samuel J. Steiner
Chapter 13

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

IN RE:

ROBERT E. HOUSER,

Debtor(s).

ROBERT E. HOUSER,

Plaintiff(s),

v.

BAC HOME LOANS SERVICING, LP., f/k/a
COUNTRYWIDE HOME LOANS;
CITIMORTGAGE, INC.; CRESTLINE
FUNDING CORPORATION; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC.

Defendants.

Case No. 10-14469

Adversary Case No. 10-01352

*EX PARTE ORDER TO STRIP
JUNIOR LIEN OF DEFENDANT
CITIMORTGAGE, INC.*

THIS MATTER having come Ex Parte before the Judge of the above-entitled Court upon
the Plaintiff's Motion for Default and Default Judgment against Defendant CitiMortgage, Inc.

(hereinafter "Defendant"), and Plaintiff being represented by his attorneys, Christina Latta Henry
and Seattle Debt Law, LLC and Defendant having failed to appear, answer or plead herein and
the Court having considered the Plaintiff's Motion for Default, the Declaration of Christina Latta

EX PARTE ORDER TO STRIP JUNIOR LIEN OF
DEFENDANT CITIMORTGAGE, INC.

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1 Henry in support of the same and being otherwise fully advised in the premises, NOW,
2 THEREFORE, it is hereby

3 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the junior lien of
4 Defendant CitiMortgage, Inc. (hereinafter "CM") is avoided on the condition that the Debtor
5 completes his Chapter 13 Plan and receives a Chapter 13 discharge;

6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that CM retains its lien on
7 any surplus proceeds from a potential foreclosure sale by the senior lien holder prior to the
8 Debtor's completion of his Chapter 13 Plan and entry of his Chapter 13 discharge;

9 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that CM's claim will be
10 treated as unsecured so that it may receive any dividends as an unsecured creditor under the
11 Chapter 13 plan;

12 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that should the Debtor
13 convert or be dismissed from their main bankruptcy case, then CM's lien will be reinstated and;

14 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that each party is to bear
15 their own attorney's fees and costs in the adversary proceeding.

16 DATED this ____ day of October, 2010.

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United States Bankruptcy Judge
(Dated as of Entered on Docket date above)

Presented by:

SEATTLE DEBT LAW, LLC

/s/ *Christina Latta Henry*
Christina Latta Henry, WSBA 31273
Attorney for Plaintiff

EX PARTE ORDER TO STRIP JUNIOR LIEN OF
DEFENDANT CITIMORTGAGE, INC.
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